

**PB# 96-28**

**PIETRZAK, ELAINE**

**4-1-33.1**

Approved 11/3/97

---

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12553

# General Receipt

15940

Received from

Elaine Pietrzak

\$ 50.00

For

Fifty and  
phys # 96-28 Application Fee

00 DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
CR# 1737		50.00

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

By

Dorothy Hansen  
Town Clerk

TITLE

Wilson Jones • Carbonless • S1642-4WCL Duplicate • S1644-4WCL Triplicate

MADE IN U.S.A.  
© Wilson Jones, 1989

DATE

October 16, 1996

RECEIPT

NUMBER

96-28

RECEIVED FROM

Elaine Pietrzak

Address

7 Steele Road - New Windsor, N.Y. 12553

Three Hundred 00/100

DOLLARS \$ 300.00

FOR

2 Lot subdivision Escrow (2 @ \$150.00 ea.)

ACCOUNT			HOW PAID		
BEGINNING BALANCE	300	00	CASH		
AMOUNT PAID	300	00	CHECK	#1738	
BALANCE DUE	-0-		MONEY ORDER		

BY

[Signature]  
Myra Mason, Secretary to the P.B.

Wilson Jones • Carbonless • S1642-4WCL Duplicate • S1644-4WCL Triplicate

© Wilson Jones, 1989

DATE

October 23, 1997

RECEIPT

NUMBER

96-28

RECEIVED FROM

Elaine & Frank Pietrzak

Address

14 Steele Rd. - New Windsor, N.Y. 12553

Sixty-Seven 90/100

DOLLARS \$ 67.90

FOR

Addition to Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	67	90	CASH		
AMOUNT PAID	67	90	CHECK	#4076	
BALANCE DUE	-0-		MONEY ORDER		

BY

P. Zappalo  
Myra Mason, Secretary

DATE

October 23, 1997

RECEIPT

NUMBER

Town Clerk  
TITLE

Wilson Jones - Carbonless - S1642-WCL Duplicate - S1644-WCL Triplicate

MADE IN U.S.A.  
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DATE October 16, 1996 RECEIPT NUMBER 96-28  
RECEIVED FROM Elaine Pietrzak  
Address 7 Steele Road - New Windsor, N.Y. 12553  
Three Hundred 00/100 DOLLARS \$300.00  
FOR 2 Lot subdivision Escrow (2 @ \$150.00 ea.)

ACCOUNT			HOW PAID		
BEGINNING BALANCE	300	00	CASH		
AMOUNT PAID	300	00	CHECK	#1738	
BALANCE DUE	-0-		MONEY ORDER		

BY [Signature]  
Myra Mason, Secretary to the P.B.

Wilson Jones - Carbonless - S1642-WCL Duplicate - S1644-WCL Triplicate

© Wilson Jones, 1989

DATE October 23, 1997 RECEIPT NUMBER 96-28  
RECEIVED FROM Elaine & Frank Pietrzak  
Address 14 Steele Rd. - New Windsor, N.Y. 12553  
Sixty-Seven 90/100 DOLLARS \$67.90  
FOR Addition to Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	67	90	CASH		
AMOUNT PAID	67	90	CHECK	#4076	
BALANCE DUE	-0-		MONEY ORDER		

BY P. Zappalo  
Myra Mason, Secretary

Wilson Jones - Carbonless - S1642-WCL Duplicate - S1644-WCL Triplicate

© Wilson Jones, 1989

DATE October 23, 1997 RECEIPT NUMBER 96-28  
RECEIVED FROM Elaine & Frank Pietrzak  
Address 14 Steele Rd. - New Windsor, N.Y. 12553  
Five Hundred 00/100 DOLLARS \$500.00  
FOR One lot recreation fee

ACCOUNT			HOW PAID		
BEGINNING BALANCE	500	00	CASH		
AMOUNT PAID	500	00	CHECK	#4075	
BALANCE DUE	-0-		MONEY ORDER		

BY P. Zappalo  
Myra Mason, Secretary

Wilson Jones - Carbonless - S1642-WCL Duplicate - S1644-WCL Triplicate

MADE IN U.S.A.  
© Wilson Jones, 1989

DATE Oct. 24, 1997 RECEIPT NUMBER 6772433  
RECEIVED FROM Elaine & Frank Pietrzak  
Address \_\_\_\_\_  
Two Hundred sixty 00/100 DOLLARS \$260.00  
FOR Planning Board # 96-28

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	#4074	
AMOUNT PAID			CHECK	260.00	
BALANCE DUE			MONEY ORDER		

Town Clerk  
BY Dorothy H. Hansen

96-28

Map Number 250-97

City [ ]

Section 4 Block 1 Lot 331

Town [x]

Village [ ]

New Windsor

Title: Pietrzak, Elaine

(1 sheet)

Dated: 5/15/96

Filed 11/5/97

Approved by Edward C. Stent Jr

on 11-3-97

Record Owner Pietrzak, Elaine

**JOAN A. MACCHI**  
Orange County Clerk

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/20/97

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE: STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 96-28

NAME: PIETRZAK, ELAINE - SUBDIVISION  
APPLICANT: PIETRZAK, ELAINE

---DATE---	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/03/97	PLANS STAMPED	APPROVED
09/10/97	P.B. APPEARANCE	LA:ND WVE PH APPRD
08/27/97	P.B. APPEARANCE	NO SHOW- NEXT AGENDA
10/23/96	P.B. APPEARANCE	REFER TO ZBA
10/16/96	WORK SESSION APPEARANCE	NEXT AGENDA
05/01/96	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/11/97

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 96-28

NAME: PIETRZAK, ELAINE - SUBDIVISION  
APPLICANT: PIETRZAK, ELAINE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	10/16/96	EAF SUBMITTED	10/16/96	WITH APPLICATION
ORIG	10/16/96	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	10/16/96	LEAD AGENCY DECLARED	09/10/97	TOOK LEAD AGENCY
ORIG	10/16/96	REQUEST FOR INFORMATION	/ /	
ORIG	10/16/96	DECLARATION (POS/NEG)	09/10/97	DECL. NEG. DEC.
ORIG	09/10/97	PUBLIC HEARING	09/10/97	WAIVED PUB. HEARING

10/21/97 Called left message to call me

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00 *PH*

ESCROW:

RESIDENTIAL:

\_\_\_ LOTS @ 150.00 (FIRST 4 LOTS).....\$ \_\_\_\_\_

\_\_\_ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ \_\_\_\_\_

COMMERCIAL:

\_\_\_ LOTS @ 400.00 (FIRST 4 LOTS).....\$ \_\_\_\_\_

\_\_\_ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ \_\_\_\_\_ *PH*

TOTAL ESCROW DUE....\$ 300.00

\*\*\*\*\*

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00

PRELIMINARY PLAT APPROVAL .....\$ 100.00

FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 110.00

FINAL PLAT SECTION FEE.....\$ 100.00

BULK LAND TRANSFER...(\$100.00).....\$ \_\_\_\_\_

TOTAL SUBDIVISION APPROVAL FEES.....\$ 260.00 ①

\*\*\*\*\*

RECREATION FEES:

1 LOTS @ \$500.00 PER LOT .....\$ 500.00 ②

\*\*\*\*\*

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 261.90

PLANNING BOARD ATTORNEY FEES.....\$ 70.00

MINUTES OF MEETINGS.....\$ 36.00

OTHER.....\$ — ③ 67.90

\*\*\*\*\*

PERFORMANCE BOND AMOUNT.....\$ \_\_\_\_\_

4% OF ABOVE AMOUNT.....\$ \_\_\_\_\_

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ \_\_\_\_\_

2% OF APPROVED COST ESTIMATE:.....\$ \_\_\_\_\_  
(INSPECTION FEE)

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/24/97

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 96-28

NAME: PIETRZAK, ELAINE - SUBDIVISION  
APPLICANT: PIETRZAK, ELAINE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	AMT-PAID	--BAL-DUE
10/16/96	REC. CK. #1738	PAID		300.00	
10/23/96	P.B. ATTY. FEE	CHG	35.00		
10/23/96	P.B. MINUTES	CHG	13.50		
08/27/97	P.B. MINUTES	CHG	4.50		
09/10/97	P.B. ATTY. FEE	CHG	35.00		
09/10/97	P.B. MINUTES	CHG	18.00		
10/20/97	P.B. ENGINEER FEE	CHG	261.90		
10/21/97	REC.CK. #4076	PAID		67.90	
		TOTAL:	367.90	367.90	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/24/97

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 96-28

NAME: PIETRZAK, ELAINE - SUBDIVISION  
APPLICANT: PIETRZAK, ELAINE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/10/97	SUB. APPROVAL FEE	CHG	260.00		
10/21/97	REC. CK. #4074	PAID		260.00	
		TOTAL:	260.00	260.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/24/97

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 96-28

NAME: PIETRZAK, ELAINE - SUBDIVISION  
APPLICANT: PIETRZAK, ELAINE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/10/97	ONE LOT REC. FEE	CHG	500.00		
10/21/97	REC. CK. #4075	PAID		500.00	
		TOTAL:	500.00	500.00	0.00

OCT-21-1997 16:48

MC GOEY, HAUSER&amp;EDSALL

914 562 1413 P.05/06

AS OF: 10/23/97

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 67-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 95- 23

FOR WORK DONE PRIOR TO: 10/23/97

TASK-NO	REF	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	-----DOLLARS-----			
								TIME	EXP.	BILLED	BALANCE
96-28	95143	05/01/96	TIME	MJE	WS PIETRZAK	70.00	0.40	28.00			
96-28	106123	10/15/96	TIME	MJE	WS PIETRZAK SUBD	70.00	0.30	21.00			
96-28	106132	10/16/96	TIME	MJE	WS PIETRZAK SUBD	70.00	0.40	28.00			
96-28	105425	10/23/96	TIME	MCK	CL PIETRZAK RVW COMM	25.00	0.50	12.50			
96-28	105537	10/23/96	TIME	MJE	MN PIETRZAK DISAPP ZBA	70.00	0.10	7.00			
96-28	106123	10/23/96	TIME	MJE	MC PIETRZAK	70.00	0.40	28.00			
								124.50			
96-23	107217	10/31/96			BILL 96-732 11/13/96 PD					-124.50	
										-124.50	
96-23	103933	12/04/96	TIME	MJE	MC PIETRZAK ZBA REF	70.00	0.50	35.00			
96-23	103934	12/18/96	TIME	MJE	MC PIETRZAK ZBA REP	70.00	0.50	35.00			
								70.00			
96-28	103958	12/31/96			BILL 97-124 1/13/97					-70.00	
										-70.00	
96-25	129596	02/27/97	TIME	MCK	CL PIETRZAK RVW COMM	23.00	0.50	14.00			
96-28	131007	03/10/97	TIME	MCK	CL PIETRZAK RVW COMM	23.00	0.30	8.40			
96-28	131871	09/10/97	TIME	MJE	MC PIETRZAK	75.00	0.50	37.50			
96-28	131955	09/10/97	TIME	MJE	MN PIETRZAK SUB APPD	75.00	0.10	7.50			
								57.40			
96-28	134054	09/30/97			BILL 97-912 10/10/97					-57.40	
										-57.40	
					TASK TOTAL		261.90	0.00	-261.90	0.00	
					GRAND TOTAL		261.90	0.00	-261.90	0.00	



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** PIETRZAK MINOR SUBDIVISION  
**PROJECT LOCATION:** STEELE ROAD  
SECTION 4-BLOCK 1-LOT 33.1  
**PROJECT NUMBER:** 96-28  
**DATE:** 10 SEPTEMBER 1997  
**DESCRIPTION:** THE PROJECT INVOLVES THE MINOR SUBDIVISION OF  
THE EXISTING 1.2 +/- ACRE PARCEL INTO TWO (2) LOTS.  
THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE  
23 OCTOBER 1996 AND 27 AUGUST 1997 PLANNING  
BOARD MEETINGS.

1. This application was on the 27 August 1997 Planning Board Agenda but was not represented at the meeting. I had comments prepared for that meeting and a copy is attached hereto for review at this meeting.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:PIETR2.mk



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

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**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**REVIEW NAME:** PIETRZAK MINOR SUBDIVISION  
**PROJECT LOCATION:** STEEL ROAD  
SECTION 4-BLOCK 1-LOT 33.1  
**PROJECT NUMBER:** 96-28  
**DATE:** 27 AUGUST 1997  
**DESCRIPTION:** THE PROJECT INVOLVES THE MINOR SUBDIVISION OF  
THE EXISTING 1.2 +/- ACRE PARCEL INTO TWO (2) LOTS.  
THE PLAN WAS PREVIOUSLY REVIEWED AT THE  
23 OCTOBER 1996 PLANNING BOARD MEETING.

1. At the October 1996 Planning Board meeting, the Planning Board reviewed this application and it was noted that several variances were required. The Applicant was referred to the ZBA. At this time, it is my understanding that the Applicant was successful in obtaining additional variances in connection with this proposed subdivision. These variances are indicated on the plan and a record of same should be in the Planning Board file.
2. Other than the need to obtain the appropriate variances, I am aware of no additional concerns regarding this application. It is my understanding that no new facilities or improvements are proposed. This should be confirmed with the Applicant at this meeting.

If the Board identifies any concerns with regard to this subdivision, I will be pleased to review same, as deemed necessary by the Board.

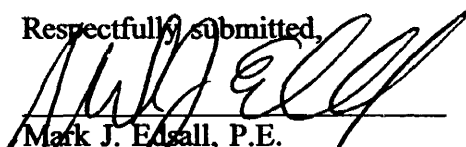
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
4. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** PIETRZAK MINOR SUBDIVISION  
**PROJECT LOCATION:** STEEL ROAD  
SECTION 4-BLOCK 1-LOT 33.1  
**PROJECT NUMBER:** 96-28  
**DATE:** 27 AUGUST 1997

5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:PIETR.mk

REGULAR ITEMS

PIETRZAK, ELAINE SUBDIVISION (96-28) STEELE ROAD

Mr. Frank Pietrzak appeared before the board for this proposal.

MR. PETRO: What do you want to do here?

MR. PIETRZAK: Get the okay from you, that is it, I went before the zoning board and they said okay.

MR. PETRO: This involves minor subdivision of the existing 1.2 acre parcel into two lots. The application was previously reviewed at the 23 October 1996 and 27 August 1997 planning board meetings. Evidently, we had some questions at that time. They must have been under review, let's see what Mark has to say here. Let's see, where is your existing lot as it stands now? Mark, maybe you can see us through that?

MR. EDSALL: It's an overall lot now with more than one use and they have gone to the ZBA to obtain variances such that they could create two lots rather than the one single lot with multiple uses. And my understanding is that they have gotten those variances.

MR. KRIEGER: That is correct.

MR. PETRO: Okay, still unclear though on the map where the lot lines are?

MR. EDSALL: The proposed lot line is the line that comes from roughly where the S is on Steele into the property and turns and runs over to the west.

MR. BABCOCK: Two story house lot, Jim, is a big L with a pool included in that lot.

MR. EDSALL: And then the two story garage becomes a rectangular shaped lot along Steele Road.

MR. LANDER: It was all one lot at one time now Frank, I see you have a well and two story garage, you have a well and then there's sewer out on Steele Road?

MR. PIETRZAK: Right.

MR. LANDER: And your house has a well also?

MR. PIETRZAK: Yes, it does.

MR. PETRO: Right by the deck.

MR. LUCAS: What do you want to do, just keep this as a two story garage?

MR. LANDER: Whatever is going on now.

MR. PIETRZAK: Correct.

MR. LANDER: Yeah, it's pretty cut and dry.

MR. STENT: Did we take lead agency?

MR. PETRO: No.

MR. STENT: Make the motion we take lead agency on the Pietrzak subdivision.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take lead agency under the SEQRA process for the Pietrzak minor subdivision on Steele Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: We have highway approval on 8/29/97 and fire approval on 8/26/97.

MR. LANDER: Mr. Chairman, I make a motion that we waive public hearing.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Pietrzak minor subdivision on Steele Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I don't think there is any wetlands, you are up there pretty high.

MR. PIETRZAK: Oh, absolutely.

MR. LUCAS: Motion we grant final approval or negative dec.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Pietrzak minor subdivision under the SEQRA process. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: We have seen this I think three times and it's basically just one or drawing two lines on the map.

MR. STENT: Motion we approve the Pietrzak minor subdivision.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Pietrzak minor subdivision on Steele Road. Is there any further discussion from the board members? Mark, comments from the zoning board are on the map and proper variance is granted?

MR. EDSALL: I believe they are.

MR. LANDER: There's two on there.

MR. PETRO: Yeah, on the bottom I see here.

MR. EDSALL: There's a note that notes a previous variance as well.

MR. PETRO: Okay, roll call.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Thank you for coming in.

MR. EDSALL: We can have them add the dates that they got the variances before the final maps are signed.

RESULTS OF P.B. MEETING

DATE: September 10, 1997

PROJECT NAME: Pietrzak, Elaine Sub PROJECT NUMBER 96-28

\*\*\*\*\*

LEAD AGENCY: \* NEGATIVE DEC: \*

M) 5 S) LN VOTE: A 4 N 0 \* M) LN S) LN VOTE: A 4 N 0 \*

CARRIED: YES ☒ NO ☐ \* CARRIED: YES: ☒ NO ☐ \*

\*\*\*\*\*

PUBLIC HEARING: M) LN S) S VOTE: A 4 N 0

WAIVED: YES ☒ NO ☐

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.E.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M) 5 S) LN VOTE: A 4 N 0 APPROVED: 9/10/97

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Pay fees

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/10/97

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 96-28

NAME: PIETRZAK, ELAINE - SUBDIVISION  
APPLICANT: PIETRZAK, ELAINE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	08/08/97	MUNICIPAL HIGHWAY	08/29/97	APPROVED
REV1	08/08/97	MUNICIPAL WATER	08/26/97	APPROVED
REV1	08/08/97	MUNICIPAL SEWER	/ /	
REV1	08/08/97	MUNICIPAL FIRE	08/26/97	APPROVED
ORIG	10/16/96	MUNICIPAL HIGHWAY	10/18/96	APPROVED
ORIG	10/16/96	MUNICIPAL WATER	10/21/96	APPROVED
ORIG	10/16/96	MUNICIPAL SEWER	08/08/97	SUPERSEDED BY REV1
ORIG	10/16/96	MUNICIPAL FIRE	10/23/96	APPROVED

In the Matter of the Application of

**ELAINE PIETRZAK**

MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCES

#97-6

**WHEREAS, ELAINE PIETRZAK, 14 (7) Steele Road, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for area variances as follows: Lot #1: 2,368 s.f. lot area and 42.74 ft. lot width; and Lot #2: 24,912 s.f. lot area variance, 4.16 ft. lot width and 6.5 ft. maximum building height in order to subdivide commercial and residential parcel located at 14 (7) Steele Road in a PI zone; and**

**WHEREAS, a public hearing was held on the 9th day of June, 1997 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and**

**WHEREAS, the Applicant appeared before the Board himself and with Daniel Yanosh, L.S. for this Application; and**

**WHEREAS, there were no spectators appearing at the public hearing; and**

**WHEREAS, no one spoke in favor of or in opposition to the Application; and**

**WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and**

**WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:**

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is located in a commercial (PI) zone in a neighborhood of mixed commercial and residential properties.

(b) The Applicant is seeking the variances in order to enable him to apply for subdivision approval so as to separate the commercial from residential uses.

(c) The residential use of the property appears to predate zoning.

(d) So long as the property is a mixed commercial and residential use the Applicant is unable to obtain residential financing.

(e) The residential use of the property predates zoning and the commercial use is an allowable use in that zone.

(f) The property is adjacent to a factory, a law office and a broadcast facility, all commercial uses.

(g) No buildings or additional structures are proposed for the property. The uses of the property are separated by a large elevation grade difference.

(h) The properties located on the parcel, both commercial and residential, do not interfere with the sewage or septic service since the property is serviced by municipal sewage service and will not interfere with the water service to the property by well.

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted due to the peculiar nature of the property.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed because the variances would allow the Applicant to separate the permissible commercial use from the pre-existing residential use.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area

variances.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT the following area variances: Lot #1: 2,368 s.f. lot area and 42.74 ft. lot width; and Lot #2: 24,912 s.f. lot area, 4.16 ft. lot width and 6.5 ft. maximum building height variances in order to subdivide a commercial and residential parcel located at 14 (7) Steele Road in a PI zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: July 14, 1997.

  
Chairman

August 2 1997

5

REGULAR ITEMS:

PIETRZAK, ELAINE SUBDIVISION (96-28) STEELE ROAD

MR. PETRO: Let the minutes show that the applicant is not here either.

**ZONING BOARD OF APPEALS**

**Regular Session**

**January 27, 1997**

**REVISED AGENDA:**

**7:30 p.m.- ROLL CALL**

**Motion to accept minutes of the 1/13/97 meeting as written.**

**PRELIMINARY MEETING:**

*ET UP  
OK P/H* **NEED COPY OF DISAPPROVAL PACK FROM PAT**  
1. **V.G.R. ASSOCS./POUGHKEEPSIE SAVINGS BANK** - Request for variance for additional facade sign in variation of Sec. 48-18H(1)(b)[1] of the Supp. Sign Regulations, for bank located at Price Choppers Supermarket in Vails Gate in a C zone. (69-1-6).

*TUP  
R P/H* 2. **PIETRZAK, FRANK** - Referred by P.B. Request for: Lot #1: 2,368 s.f. lot area and 42.74 ft. lot width variances and Lot #2: 24,912 s.f. lot area, 4.16 ft. lot width and 6.5 ft. max. bldg. height variances for lot line change on property located at 7 Steele Rd. in a PI zone. (4-1-33.1).

*TUP  
OK P/H* 3. **PIZZO, JOHN** - Referred by P. B. for 27% developmental coverage to construct office building on n/s Rt. 300 adjacent to J&H Smith Lighting in P.O. zone. Present: Paul V. Cuomo, P.E. (4-1-11.1)

*ET UP  
OK P/H* 4. **AF&F/CIANCIO**-Request for use variance for a non-public school in a P.L zone to be located on Plympton Street (American Felt & Filter building). (14-3-2).

**PUBLIC HEARING:**

*DISAPPROVED*  
5. **REDDINGS, MERRELL** - Request for use variance to allow existing four-family residence at 16 Reddings Drive in an R-3 zone. (Two-family residences permitted.) (65-1-42.4).

*APPROVED*  
6. **COYMAN, EILEEN** - Request for 18 ft. rear yard variance for existing deck at 408 Mt. Airy Road in R-3 zone. (65-1-4).

*APPROVED*  
7. **L&M PROPERTIES, LLC** - Referred by Planning Board for 0.5 ft. side yard and 16.2 ft. maximum building height to construct an addition to warehouse (Stewart Liner) located on Liner Road in a C zone. (4-1-5.1,5.2). Present: Bill Hildreth, L. S.

**REORGANIZE: Election of Officers**

**PAT - 563-4630 (o)  
562-7107 (h)**

**ZONING BOARD OF APPEALS**  
**Regular Session**  
**June 9, 1997**

**REVISED AGENDA:**

**7:30 p.m. - ROLL CALL**

**Motion to accept minutes of the 4/28/97 meeting as written.**

**PRELIMINARY MEETING:**

SET UP  
FOR P/H

**1. REDDINGS, MERRELL - Request for four-family residence in R-3 zone at 16 Reddings Place (only two family allowed). (65-1-42.4). Present: Richard Schisano, Esq.**

SET UP  
FOR P/H

**2. CORCORAN, MIKE - Request for 6 in. sign height and 11 ft. sign width variance to replace Pat's Pizza Sign with Domino's Pizza at 420 Windsor Highway in a C zone. (69-2-10).**

SET UP  
FOR P/H

**3. THOMAS, JOAN - Request for use variance for existing bait and tackle shop in R-4 zone at 22 Hillview Drive. (58-3-1).**

SET UP  
FOR P/H

**4. SURACI, JAMES - Request for 11.8 ft. rear yard variance to construct a 14 x 29 ft. deck at 202 Butterhill Drive in a CL-1 zone. (80-4-1).**

**PUBLIC HEARING:**

APPROVED

**5. PIETRZAK, ELAINE - Request for area variances as follows: Lot 1-2,368 sq. ft. lot area and 42.74 ft. lot width; and Lot 2 - 24,912 sq. ft. lot area, 4.16 ft. lot width, and 6.5 ft. maximum building height in order to subdivide commercial and residential parcel located at 14 Steele Road in a PI zone. (4-1-33.1).**

APPROVED

**6. AF&F/CIANCIO - Request for use variance to allow non-public school in a PI zone at former American Felt building located on Plympton Street. (14-2-3.1).**

**Pat 563-4630 (o)**  
**562-7107 (h)**

PIETRZAK, FRANK

MR. NUGENT: Referred by Planning Board request for lot #1:2,368 s.f. lot area and 42.74 ft. lot width variances and Lot #2:24,912 s.f. lot area, 4.16 ft. lot width and 6.5 ft. maximum building height variances for lot line change on property located at 7 Steele Road in a PI zone.

Mr. Frank Pietrzak appeared before the board for this proposal.

MR. NUGENT: Tell us what you're trying to do here, explain it to us.

MR. PIETRZAK: What we're trying to do is my home is like right here, that is my house and right next door is where I used to have my shop and I had to give up my business, I'm renting this business. What we're trying to do is subdivide the commercial building from my home which is on the same parcel and just--

MR. NUGENT: The pool area and all this is going to be one lot?

MR. PIETRZAK: Exactly.

MR. NUGENT: This is going to be one lot?

MR. PIETRZAK: Yes.

MR. NUGENT: All the entrances are off Steele Road?

MR. PIETRZAK: That is correct. Now it's kind of, you know, if I can, the way this is situated, the area is small, but this is a very steep bank back here, so this pool area is elevated quite a bit so there's like a permanent barrier here with the cliff that separates this from that area and the same thing on this side, the house and the pool is elevated and it's down at a different level and if you go by on 207, you can probably notice from the road.

MR. NUGENT: That lot number 2 is 15,000 square feet?

MR. PIETRZAK: I believe it is.

MR. TORLEY: Do you have a copy of the application?

MR. NUGENT: Yeah, sure, I want you to look at this, you need to look at the map.

MR. REIS: Frank, as it is now, you have separate entrances for each of the--

MR. PIETRZAK: Each of the parcels, yes, we do right off Steele Road, there is a driveway that separates the 2 parcels and the boundaries are such that with the cliff and everything, it doesn't permit anymore excavating or expansion for either one of them. But being that I am, it's a hardship now.

MR. NUGENT: Mike, that 42 foot, the lot width, is that because the house is so close to the property line and on what should be the right side of the drawing I'm looking at, yeah, 5.4.

MR. PIETRZAK: No, we're planning to expand this by buying a piece off Mr. Langanke, that is coming up before the planning board also. So we're going to extend that on this side to give that piece of property more of a side yard requirement. We have negotiated the sale.

MR. NUGENT: Then you won't need the variance if that is the case, I see what you're trying to do.

MR. BABCOCK: He needs 150 foot required lot width and lot 1 is 107 and lot 2 is 145 so he's under on both of them.

MR. NUGENT: Because it's a PI zone.

MR. BABCOCK: That is correct.

MR. REIS: Michael, what's the minimum lot square footage?

MR. BABCOCK: 40,000 square feet.

MR. NUGENT: He's almost there on lot 1.

MR. TORLEY: Now, the house as it's stated the planning board minutes the house was built in '64, so any use of it would be grandfathered.

MS. BARNHART: You say it's no longer a business?

MR. PIETRZAK: The change of the line that we're contemplating is right here, this is all cliffs and it comes this way, this is elevated also.

MR. TORLEY: You're talking with Mr. Langanke about purchasing some land there?

MR. PIETRZAK: We have already negotiated that with Mr. Langanke. That is another, obviously, it's going to be on this side so this will be extended here to give this yard the side yard requirement more space, can't do it on this side, this is all elevated from this area and this is elevated from this area.

MR. KANE: Mr. Chairman, I move we set up Mr. Frank Pietrzak for public hearing for his requested variances at 7 Steele Road.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MS. BARNHART: Okay, here's your paperwork.

MR. PIETRZAK: Okay.

MR. NUGENT: If you have anymore information that you are buying from Herb that would probably be very good to bring up at the hearing.

RESULTS OF P.B. MEETING

DATE: August 27, 1997

PROJECT NAME: Pietrzak Sub PROJECT NUMBER 96-28

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M)    S)    VOTE: A    N   

\* M)    S)    VOTE: A    N   

CARRIED: YES    NO   

\* CARRIED: YES:    NO   

\*\*\*\*\*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

No Show

PIETRZAK, ELAINE SUBDIVISION (96-28) STEELE ROAD

Dan Yanosh and Mr. Pietrzak appeared before the board for this proposal.

MR. YANOSH: This is on Steele Road off 207, 52,719 square foot lot has existing two story house on it, one single family and also two story garage where DiAmico's Auto Body Shop is now located. Proposal is for two lot subdivision, we want to cut the house away from the garage. Mr. Pietrzak has trouble getting refinancing for the house, his house, since the business is there. Also we he wants to cut the one from the other. We're going to need variances from the Zoning Board of Appeals for lot size, both of them are undersized, we need 40,000, we're going to need a variance for lot width on both lots. We have the property line between the two of them, would be right next to the paved parking lot at the bottom of the hill, we could make one conform but for looks and aesthetics, we'll ask for both of them. The existing two story house was built how long ago?

MR. PIETRZAK: 1964.

MR. YANOSH: '64, again, it was built, the offset to the side yard is 5.14 feet, we'll go for that variance also at that time.

MR. PETRO: That is already existing, obviously you're not creating that one.

MR. YANOSH: It's existing also. We already did get a variance for the front yard of the two story garage of 22.29 feet, that was granted back in 1983, May 31st.

MR. PETRO: This is, this sits up on the hill?

MR. YANOSH: Correct.

MR. PETRO: All the side yards that need variances you couldn't make different configuration that would lower the amount of variances you need?

MR. YANOSH: No, the one you could change possibly an

#1-2BA 1-27-97  
SETUP FOR P.H

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

#2 2BA 6-9-97  
APPROVED

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 96-28

DATE: 4 DEC '96

APPLICANT: PIETRZAK, ELAINE

7 STEELE RD.

NEW WINDSOR N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 16 OCT '96

FOR (SUBDIVISION - ~~SITE PLAN~~)

LOCATED AT 7 STEELE RD APPROX 250 FT EAST

OF RT. 207

ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 4 BLOCK: 1 LOT: 33.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

*Michael Babcock*

MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS		PROPOSED OR AVAILABLE		VARIANCE REQUEST	
ZONE	USE	LOT 1	LOT 2	LOT 1	LOT 2
<u>PI</u>	<u>***</u>				
MIN. LOT AREA	<u>40,000 SF</u>	<u>37632</u>	<u>15088</u>	<u>2368</u>	<u>24912</u>
MIN. LOT WIDTH	<u>150 LF</u>	<u>107.26</u>	<u>145.84</u>	<u>42.74</u>	<u>416</u>
REQ'D FRONT YD	<u>50 LF</u>	<u>53.26</u>	<u>22.29**</u>	<u>—</u>	<u>**</u>
REQ'D SIDE YD.	<u>15 FT</u>	<u>5.14*</u>	<u>43.68</u>	<u>*</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>40 FT</u>	<u>58.52</u>	<u>99.56</u>	<u>—</u>	<u>—</u>
REQ'D REAR YD.	<u>20 FT</u>	<u>103.34</u>	<u>21</u>	<u>—</u>	<u>—</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT. <u>6" PER FT = 2.57</u>	<u>10.50</u>	<u>17.0</u>	<u>17.0</u>	<u>*</u>	<u>6.5</u>
FLOOR AREA RATIO	<u>0.6</u>	<u>.04</u>	<u>0.14</u>	<u>—</u>	<u>—</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>—</u>	<u>—</u>
DEV. COVERAGE	<u>N/A %</u>	<u>—</u>	<u>— %</u>	<u>—</u>	<u>— %</u>
O/S PARKING SPACES	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

**\* PRE-EXISTING NON-CONFORMING CONDITION \* PREVIOUS VARIANCE**  
APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

**\*\*\* MINIMUM BULK VALUES FOR ZONE SHOWN - PRE-EXISTING NON-CONF. USE**

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

area for one of them and maybe a lot width, this one existing house is 37,632 square feet, in order to make that conform, I have to add another 2,400 square feet which would get into the parking lot, if I did that, or moved it here, the rear yard and the garage has to be 20 feet, I made it 21. So I'm tight that way.

MR. PETRO: I'm sure you did your homework. What you're saying this is the best configuration.

MR. YANOSH: Again, frontage for this lot here I'm short only by five feet, 4.5 feet, I could come into that lawn a little bit but then again, I make the sizes different but then again, it's making one worse to make the other one conform, it's not going to really matter too much in that case.

MR. PETRO: I'll poll the members, if this application should happen to receive the variances that are required, is there anyone that has a problem with the subdivision?

MR. DUBALDI: No, I think we should give a positive recommendation to the zoning board.

MR. LANDER: So moved.

MR. DUBALDI: You're improving the situation.

MR. YANOSH: He will keep his parking lot and the rest of it that way.

MR. PETRO: Is there any other comments? If not, I'll take a motion.

MR. DUBALDI: I make a motion we approve the Pietrzak minor subdivision on Steele Road.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning board approve the Pietrzak subdivision on Steele Road. Is there any further discussion from the board members? If not, roll call.

October 23, 1996

12

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LUCAS	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: You have now been referred to the New Windsor Zoning Board for the necessary variances. If you are successful in receiving them, we well review it again at this board. Thank you.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 96-28

DATE: 4 DEC '96

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**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**REVIEW NAME:** PIETRZAK MINOR SUBDIVISION  
**PROJECT LOCATION:** STEELE ROAD  
SECTION 4-BLOCK 1-LOT 33.1  
**PROJECT NUMBER:** 96-28  
**DATE:** 23 OCTOBER 1996  
**DESCRIPTION:** THE PROJECT INVOLVES THE MINOR SUBDIVISION OF  
THE EXISTING 1.2 +/- ACRE PARCEL INTO TWO (2) LOTS.  
THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

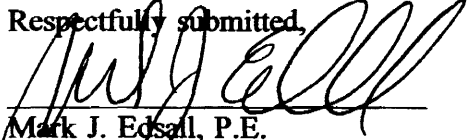
1. Currently, the property includes an existing two-story commercial garage and the existing two-story residential house. It is the Applicant's desire to separate the commercial from the residential and this minor subdivision plan proposes a method for doing same.

The Applicant's Surveyor has provided a complete bulk table on the bottom of the plan, which provides the existing and proposed data, and identifies previous variances granted, pre-existing non-conforming conditions, and those items where new variances will be required.

It would appear that both uses may be pre-existing non-conforming uses, for which there may be no specific minimum bulk requirements. As such, I will leave the determination as to what variances are required (and to what extent) to the Attorney and ZBA.

2. Once the Applicant receives whatever variances are required and they return to the Planning Board for subdivision approval, further reviews will be made, as deemed necessary by the Planning Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:PIETR.mk

## RESULTS OF P.E. MEETING

DATE: 10-23-96

PROJECT NAME: Pietrzak Sub PROJECT NUMBER 96-28

\* \* \* \* \*

LEAD AGENCY:

\* NEGATIVE DEC:

M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

\* M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

CARRIED: YES \_\_\_\_\_ NO \_\_\_\_\_

\* CARRIED: YES: \_\_\_\_\_ NO \_\_\_\_\_

\* \* \* \* \*

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES \_\_\_\_\_ NO \_\_\_\_\_

SEND TO OR. CO. PLANNING: M)   S   VOTE: A   N   YES        NO       

SEND TO DEPT. OF TRANSPORT: M)   S   VOTE: A   N   YES NO

DISAPP: REFER TO Z.E.A.: M) NSIS VOTE: A 5 N 0 YES ☒ NO

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_

APPROVAL:

M) S) VOTE: A N APPROVED:

M)   S   VOTE: A   N   APPR. CONDITIONALLY:                     

NEED NEW PLANS:      YES                      NO

DISCUSSION/APPROVAL CONDITIONS:

---

\_\_\_\_\_

\_\_\_\_\_



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 28

DATE PLAN RECEIVED: RECEIVED AUG 8 1997

RECEIVED

AUG 25 1997

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision ☒ \_\_\_\_\_ as submitted by  
\_\_\_\_\_ for the building or subdivision of  
\_\_\_\_\_ has been  
reviewed by me and is approved ☒ \_\_\_\_\_,  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James O'Leary 8/29/97  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

# MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: Pietrzak Subdivision

Date: 26 August 1997

Planning Board Reference Number: PB-96-28

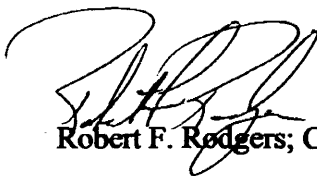
Dated: 8 August 1997

Fire Prevention Reference Number: FPS-97-044

A review of the above referenced subject subdivision plan was conducted on 22 August 1997.

This subdivision plan is acceptable.

Plans Dated: 11 June 1997 Revision 2



Robert F. Rodgers; C.C.A.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 28

DATE PLAN RECEIVED: RECEIVED AUG 8 1997

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of  
Elaine Pietrzak - Steele Rd. has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason \_\_\_\_\_

Town water does not reach as far as  
Steele rd.

HIGHWAY SUPERINTENDENT DATE

John D. D. - AMW - 8-26-97  
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

OCT 16 1996

N.W. HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, ~~HIGHWAY~~

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 28

DATE PLAN RECEIVED: RECEIVED OCT 16 1996

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision ☒ \_\_\_\_\_ as submitted by  
\_\_\_\_\_ for the building or subdivision of  
\_\_\_\_\_ has been

reviewed by me and is approved ☒ \_\_\_\_\_,  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
HIGHWAY SUPERINTENDENT 10/16/96 DATE

WATER SUPERINTENDENT \_\_\_\_\_ DATE

SANITARY SUPERINTENDENT \_\_\_\_\_ DATE

# MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: Pietrzak Subdivision

Date: 25 October 1996

Planning Board Reference Number: PB-96-28

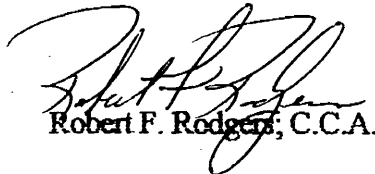
Dated : 16 October 1996

Fire Prevention Reference Number: FPS-96-048

A review of the above referenced subject subdivision plan was conducted on 21 October 1996.

This subdivision plan is acceptable.

Plans Dated: 15 May 1996.



Robert F. Rodgers, C.C.A.

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~SEWER~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 28

DATE PLAN RECEIVED: RECEIVED OCT 16 1996

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Pietrzak lands \_\_\_\_\_ has been

reviewed by me and is approved ✓

~~disapproved~~ \_\_\_\_\_

If disapproved, please list reason \_\_\_\_\_

Notify water dept. for water locations

HIGHWAY SUPERINTENDENT

DATE

Steve D. D. Camo - 10-21-92

WATER SUPERINTENDENT

DATE

SANITARY SUPERINTENDENT

DATE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 96 - 28  
WORK SESSION DATE: 16 Oct 96 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: Not Now REQUIRED: Full App  
PROJECT NAME: Picktrak Subdiv  
PROJECT STATUS: NEW X OLD \_\_\_\_\_  
REPRESENTATIVE PRESENT: Mrs. Picktrak (Elaine)  
MUNIC REPS PRESENT: BLDG INSP. Arnold Bldg.  
FIRE INSP. Pick.  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- add home lot & yard as pre-exist w/c also.
- everything is existing

10/23/96 agenda for referral  
to ZBA.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

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(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 96 - 28  
WORK SESSION DATE: 1 MAY 96 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: —  
PROJECT NAME: Pietrzak Yc  
PROJECT STATUS: NEW — OLD —  
REPRESENTATIVE PRESENT: Frank Pietrzak  
MUNIC REPS PRESENT: BLDG INSP. —  
FIRE INSP. —  
ENGINEER X  
PLANNER —  
P/B CHMN. —  
OTHER (Specify) —

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

+ disc Yc - minor

+ Gave 3 names of LSR

4MJ91 pbwsform

## TOWN OF NEW WINDSOR 96 - 28

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:  
TOWN OF NEW WINDSOR PLANNING BOARD



176 TYPE OF APPLICATION (check appropriate item):

Subdivision X Lot Line Chg. \_\_\_\_\_ Site Plan \_\_\_\_\_ Spec. Permit \_\_\_\_\_

1. Name of Project 2 Lot Subdivision - Lands of Elaine Pietrzak
2. Name of Applicant Elaine Pietrzak Phone 562-1503  
Address 7 Steele Road New Windsoe, New York 12553  
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record Same Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan Daniel P. Yanosh L.L.S.  
Address P.O. Box 320 Circleville, New York 10919  
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney None Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting Elaine Pietrzak Phone 562-1503  
(Name)
7. Project Location: On the South side of Steele Road  
250 feet East of N.Y.S. Route 207  
(direction) (street)
8. Project Data: Acreage of Parcel 1.21 Zone PI,  
School Dist. Newburgh
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y \_\_\_\_\_ N \_\_\_\_\_

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 4 Block 1 Lot 33.1

11. General Description of Project: Separate the existing house (Lot # 1)  
and the existing 2 Story Garage (Lot # 2) presently occupied by D'Amico's Auto Body

12. Has the Zoning Board of Appeals granted any variances for this property? Yes yes      no. more are needed

13. Has a Special Permit previously been granted for this property?      yes No no.

**ACKNOWLEDGEMENT:**

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

16 day of Oct 1996

Elaine D'Amico  
Applicant's Signature

Deborah Green  
Notary Public

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 1997

\*\*\*\*\*  
**TOWN USE ONLY:**

RECEIVED OCT 16 1996

\_\_\_\_\_  
Date Application Received

**96 - 28**

\_\_\_\_\_  
Application Number

RECEIVED OCT 16 1996

96- 28  
"XX"

APPLICANT'S PROXY STATEMENT  
(for professional representation)

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Elaine Pietrzak, deposes and says that he  
(Applicant)  
resides at 14 Steele Rd. New Windsor, NY  
(Applicant's Address)  
in the County of Orange  
and State of N.Y.  
and that he is the applicant for the Sub-Division

(Project Name and Description)

which is the premises described in the foregoing application and  
that he has authorized Dan Kanosh  
(Professional Representative)

to make the foregoing application as described therein.

Date: Oct. 16, 1996

Elaine Pietrzak  
(Owner's Signature)

Myna Mason  
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF  
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT  
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST

## I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1.   X   Environmental Assessment Statement
- \*2.        Proxy Statement
3.   X   Application Fees
4.   X   Completed Checklist

## II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1.   X   Name and address of Applicant.
- \*2.   X   Name and address of Owner.
3.   X   Subdivision name and location.
4.   X   Tax Map Data (Section-Block-Lot).
5.   X   Location Map at a scale of 1" = 2,000 ft.
6.   X   Zoning table showing what is required in the particular zone and what applicant is proposing.
7.   None   Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8.   X   Date of plat preparation and/or date of any plat revisions.
9.   X   Scale the plat is drawn to and North Arrow.
10.   X   Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11.   X   Surveyor's certification.
12.   X   Surveyor's seal and signature.

\*If applicable.

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13. X Name of adjoining owners.
14. NONE Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- \*15. NONE Flood land boundaries.
16. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. X Final metes and bounds.
18. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19. X Include existing or proposed easements.
20. NONE Right-of-Way widths.
21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. X Lot area (in square feet for each lot less than 2 acres).
23. X Number the lots including residual lot.
24. NONE Show any existing waterways.
- \*25. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. X Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. NONE Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

\*If applicable.

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29. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. N/A Provide "septic" system design notes as required by the Town of New Windsor.
31. N/A Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. N/A Indicate percentage and direction of grade.
33. X Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. X Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

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REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. \_\_\_\_\_ Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. \_\_\_\_\_ A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

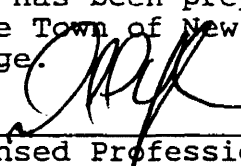
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By:  \_\_\_\_\_  
Licensed Professional

Date: 10/3/96

RECEIVED OCT 16 1996

14-16-4 (2/87)—Text 12

PROJECT I.D. NUMBER

617.21

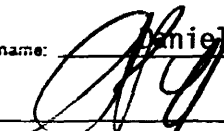
Appendix C

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SEQR

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>Elaine Pietrzak</b>		2. PROJECT NAME <b>2 Lot Subdivision - Lands of Elaine Pietrzak</b>	
3. PROJECT LOCATION: Municipality <b>Town of New Windsor</b> County <b>Orange</b>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>South side of Steele Road 250 ft. East of N.Y.S. Route 207</b>			
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: <b>Separate the existing house and the existing 2 story garage which is presently used as an Auto Boat Shop.</b>			
7. AMOUNT OF LAND AFFECTED: Initially <u>1.21</u> acres    Ultimately <u>1.21</u> acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals <b>Variances from the Town of New Windsor Zoning Board of Appeals          Subdivision from the Town of New Windsor Planning Board</b>			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: <b>Daniel P. Yanosh L.L.S.</b>		Date: <b>10-3-96</b>	
Signature: 			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_

Name of Lead Agency

\_\_\_\_\_

Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_

Title of Responsible Officer

\_\_\_\_\_

Signature of Responsible Officer in Lead Agency

\_\_\_\_\_

Signature of Preparer (if different from responsible officer)

\_\_\_\_\_

Date